

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

XOME HOLDINGS LLC F/K/A
SOLUTIONSTAR HOLDINGS LLC,
Petitioner,

V.

PETER DERBONNE AND
ERIC SWENSON,
Respondents.

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CASE NO. 4:16CV550
Judge Mazzant/Judge Johnson

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636. On December 29, 2016, the Report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Respondents Peter Derbonne and Eric Swenson's ("Respondents") Motion to Dismiss Petition to Compel Arbitration, pursuant to Federal Rule of Civil Procedure 12(b)(7) for failure to join a party under Rule 19 (Dkt. #7), be **DENIED**.

Having received the Report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's Report as the findings and conclusions of the Court.

Therefore, Respondents' Motion to Dismiss (Dkt. #7) is **DENIED**.

It is SO ORDERED.

SIGNED this 26th day of January, 2017.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE